

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSURE GLOBAL, LLC d/b/a WESHIELD,

Plaintiff,

-v-

AARON ANDERSON and AXXEUM, LLC,

Defendants.

CIVIL ACTION NO. 21 Civ. 5785 (LJL) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On January 16, 2025, the Honorable Lewis J. Liman referred this matter to the undersigned for settlement and to conduct an inquest regarding damages following default. (ECF No. 82). On January 31, 2025, after holding a conference at which Defendant Aaron Anderson failed to appear, the undersigned issued an order directing Plaintiff to submit and serve upon Defendants proposed findings of fact and conclusions of law concerning damages (the “Damages Submission”). (ECF No. 84 (the “Jan. 31 Order”). The Jan. 31 Order directed Plaintiff to submit the Damages Submission and to “file proof of [its] service on the docket by no later than Monday, March 3, 2025.” (Id. at 2). Although Plaintiff has now filed the Damages Submission, it is not clear from the record whether it has served the Damages Submission on Defendants. Consequently, by **Friday, March 7, 2025**, Plaintiff shall serve a copy of this Order and the Damages Submission on Defendants and file proof of service on the docket.

Defendants shall submit any response to the Damages Submission no later than **Monday, March 17, 2025**. IF DEFENDANTS (1) FAIL TO RESPOND TO PLAINTIFF’S DAMAGES

SUBMISSION, OR (2) FAIL TO CONTACT MY CHAMBERS BY **MONDAY, MARCH 17, 2025** AND REQUEST AN IN-COURT HEARING, I INTEND TO ISSUE A REPORT AND RECOMMENDATION CONCERNING THE DAMAGES SUBMISSION BASED ON PLAINTIFF'S WRITTEN SUBMISSION ALONE WITHOUT AN IN-COURT HEARING. See Transatlantic Marine Claims Agency, Inc. v. Ace Shipping Corp., 109 F.3d 105, 111 (2d Cir. 1997) ("[I]t [is] not necessary for the District Court to hold a hearing, as long as it ensured that there was a basis for the damages specified in a default judgment.") (quoting Fustok v. ContiCommodity Services Inc., 873 F.2d 38, 40 (2d Cir. 1989)).

Dated: New York, New York
March 4, 2025

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge